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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,085	06/28/2001	Cornelis Antonie Maria Jaspers	NL 000367	5318

24737 7590 02/10/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

VIEAUX, GARY

ART UNIT PAPER NUMBER

2612

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/894,085

### Applicant(s)

JASPERS, CORNELIS ANTONIE MARIA

### Examiner

Gary C. Vieaux

### Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,9 and 10 is/are rejected.
- 7) ☐ Claim(s) 2-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Amendment***

The Amendment filed August 18, 2005 has been received and made of record.

In response to the Office Action dated May 18, 2005, Applicant has amended the title,

5 the specification, and claim 8.

### ***Response to Amendment***

In response to Applicant's amended title, the Examiner finds the amendment to be more indicative of the invention to which the claims are directed, and therefore, the

10 objection to the title is hereby withdrawn.

In response to Applicant's amended specification, the Examiner finds the amendment to directly address the previous inconsistencies between the drawings and the specification in regards to indicator 13, and therefore, this objection to the drawings is hereby withdrawn.

15 In regards to Applicant amended claim 8, the Examiner finds the amendment to correct the previously indicated indefinite language, and therefore the 35 U.S.C. §112 second paragraph rejection is hereby withdrawn.

### ***Response to Arguments***

20 Applicant's arguments filed on August 18, 2005, in relation to claims 1, 2, 7, 9, and 10, as being anticipated by Jaspers et al. (WO 99/04555) have been fully considered and are persuasive. These rejections are hereby withdrawn.

Applicant has not contested the 35 U.S.C. §102(b) rejections to claims 1, 9, and 10 as being anticipated by Hieda (US 5,659,358) as found on page 6 of the Office Action dated May 18, 2005, and therefore the Examiner respectfully upholds these rejections.

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***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 9 and 10** are rejected under 35 U.S.C. 102(b) as being anticipated by

15

Hieda (US 5,659,358.)

Regarding claim 1, Heida teaches a signal processing device comprising a reconstruction unit (fig. 1 indicator 7) for generating a plurality of color signal values for each pixel from the sensor output signal and a clipping device (fig. 1 indicators 14; col. 2 lines 53-55) for clipping the plurality of color signal values.

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Regarding claim 9, although the wording is different, the material is considered substantively equivalent to claim 1, as discussed above.

Regarding claim 10, Heida teaches a camera comprising a sensor (fig. 1 indicator 2) and the sensor output signal processing device of claim 1, which comprises a reconstruction unit (fig. 1 indicator 7) for generating a plurality of color signal values

for each pixel from the sensor output signal and a clipping device (fig. 1 indicators 14; col. 2 lines 53-55) for clipping the plurality of color signal values.

***Allowable Subject Matter***

5           **Claims 2-8** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 2, 3 and 4, the prior art is not found to teach or fairly suggest, in combination with the claims from which dependence is derived, a signal processing  
10   device further comprising a conversion unit for generating luminance signals and chrominance signals from the plurality of color signal values, and an adjustment unit for selectively setting the chrominance signals to a zero color difference when clipping is performed.

Regarding claims 5 and 6, the prior art is not found to teach or fairly suggest, in  
15   combination with the claims from which dependence is derived, an additional clipping device to limit the dynamic range of the amplitude of the sensor output signal, where a clipping level of the clipping device is lower than a clipping level of the additional clipping device in the preprocessor.

Regarding claim 7, the prior art is not found to teach or fairly suggest, in  
20   combination with the claims from which dependence is derived, wherein the clipping device is arranged in the analog path from the sensor to a subsequent analog-to-digital converter.

Regarding claim 8, the prior art is not found to teach or fairly suggest, in combination with the claims from which dependence is derived, wherein the clipping device is arranged for selective clipping, when the sensor output signal or the plurality of color signal values exceeds a predetermined clipping level corresponding with a maximum sensitivity of the sensor.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen T. Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

- 5 Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic
- 10 Business Center (EBC) at 866-217-9197 (toll-free).

Gary C. Vieaux  
Examiner  
Art Unit 2612

Gcv2

  
NGOC-YEN VU  
PRIMARY EXAMINER